

Message Text

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ACTION SCS-01

INFO OCT-01 SS-14 ISO-00 ARA-10 SCA-01 INRE-00 L-02 SSO-00

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O R 042330Z OCT 74

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC NIACT IMMEDIATE 5885

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

AMCONSUL RECIFE

C O N F I D E N T I A L BRASILIA 7616

LIMDIS

E.O. 11652: GDS

TAGS: PINS, BR, CPAS (MORRIS, FREDEICK B.)

SUBJECT: DETENTION OF AMCIT MORRIS

REF: A. BRASILIA 7549; B. BRASILIA 7595

1. AS NOTED REF B, FOLLOWING IS TEXT OF EMBASSY'S NOTE
NO. 418 TO FOREIGN MINISTRY CONCERNING INCARCERATION AMCIT
FRED B. MORRIS: "EXCELLENCY: I HAVE THE HONOR TO REFER
TO THE ARREST IN RECIFE BY SECURITY ELEMENTS OF THE FOURTH
ARMY ON MONDAY, SEPTEMBER 30, 1974 OF FREDERICK MORRIS,
AN AMERICAN CITIZEN. I MUST PROTEST STRONGLY, EXCELLENCY,
WHAT, ON THE BASIS OF INFORMATION OBTAINED BY THE AMERICAN
CONSUL IN RECIFE, CAN ONLY BE DESCRIBED AS INHUMANE
TREATMENT AND THE VIOLATION BY BRAZILIAN SECURITY
AUTHORITIES OF THE MOST BASIC RIGHTS OF THIS AMERICAN
CITIZEN. IN ADDITION, I MUST PROTEST AGAINST THE INITIAL
DENIAL BY SUCH AUTHORITIES OF MR. MORRIS' DETENTION.
MY PROTEST MUST INCLUDE THE SUBSEQUENT DENIAL OF CONSULAR
ACCESS TO MR. MORRIS, ONCE THE BRAZILIAN SECURITY AUTHORI-
TIES ADMITTED HE HAD BEEN DETAINED.

WITH RESPECT TO THE PHYSICAL MISTREATMENT OF

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MR. MORRIS, MR. MORRIS INFORMED THE AMERICAN CONSUL

IN RECIE THAT HE HAD BEEN SEVERELY BEATEN. THE CONSUL PERSONALLY OBSERVED THAT MR. MORRIS HAD BRUISES ON HIS LEFT BUTTOCK, RIGHT HIP AND THE MIDDLE OF HIS LOWER BACK. MR. MORRIS ALSO INFORMED THE CONSUL THAT HE HAD BEEN SUBJECTED TO ELECTRICAL SHOCK TO HIS GENITALS, FEET, RIGHT BREAST AND RIGHT EAR. ACCORDING TO MR. MORRIS' STATEMENT TO THE AMERICAN CONSUL, HE HAD BEEN MANACLED TO HIS CELL DOOR IN A STANDING POSITION FOR MORE THAN 24 HOURS. THE CONSUL PERSONALLY OBSERVED THAT MR. MORRIS' WRISTS WERE LACERATED AND THAT HE HAD DIFFICULTY IN MOVING HIS RIGHT HAND WHICH, MR. MORRIS BELIEVED, WAS EITHER BECAUSE IT WAS BADLY SPRAINED OR BROKEN.

WITH RESPECT TO THE IMPROPER AND UNACCEPTABLE PROCEDURES FOLLOWED BY BRAZILIAN AUTHORITIES, THOSE AUTHORITIES TOOK NO STEPS TO INFORM THE CONSUL OF MR. MORRIS' DETENION. ACCORDING TO INFORMATION OBTAINED BY THE CONSUL FROM PRIVATE PERSONS, THE ARREST OCCURRED ON SEPTEMBER 30. ON THE BASIS OF THE INFORMATION HE HAD RECEIVED, THE CONSUL MADE AN INQUIRY ON THE MORNING OF TUESDAY, OCTOBER 1, TO FOURTH ARMY HEADQUARTERS. HE WAS GIVEN THE RESPONSE THAT THAT HEADQUARTERS HAD NO INFORMATION AS TO MR. MORRIS' WHEREABOUTS. DURING THAT SAME MORNING, A CALL AT MR. MORRIS' APARTMENT BY AN AMERICAN CONSULAR OFFICER WAS REBUFFED BY BRAZILIAN SECURITY AGENTS OCCUPYING THE APARTMENT, WHO STATED THAT MR. MORRIS WAS "OUT OF TOWN." IT WAS SUBSEQUENTLY LEARNED THAT ANOTHER AMERICAN CITIZEN, PHILLIP HANSON, WAS BEING HELD INCOMMUNICADO IN THE APARTMENT AT THE TIME THE AMERICAN CONSULAR OFFICER VISITED THE APARTMENT.

SUBSEQUENT CONTACT ON THE EVENING OF OCTOBER 1 BY THE AMERICAN CONSUL WITH COLONEL MEZIAT, CHIEF OF G-2 OF THE FOURTH ARMY, ELICITED A FURTHER RESPONSE THAT FOURTH ARMY HEADQUARTERS WAS NOT AWARE OF MR. MORRIS' WHEREABOUTS. IN THE LATE AFTERNOON OF OCTOBER 2, HOWEVER, THE AMERICAN CONSUL WAS

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INFORMED BY COLONEL MEZIAT THAT MORRIS HAD BEEN DETAINED BY FOURTH ARMY SECURITY PERSONNEL AND WOULD BE CHARGED WITH SUBVERSION UNDER THE BRAZILIAN NATIONAL SECURITY LAW. ACTING AT THE EXPRESS INSTRUCTIONS OF THE EMBASSY, THE CONSUL THEN REQUESTED ACCESS TO MR. MORRIS UNDER THE TERMS OF ARTICLE 36 OF THE VIENNA CONVENTION ON CONSULAR RELATIONS AND BRAZILIAN DECREE LAW 61, 078 OF JULY 28, 1963.

THIS ENTIRELY LEGITIMATE REQUEST BY THE CONSUL WAS REFUSED BY COLONEL MEZIAT. THE REFUSAL OF ACCESS WAS CONFIRMED TO THE CONSUL BY BRIGADIER GENERAL MARIO MELO MATTOS, CHIEF OF STAFF OF THE FOURTH ARMY, ON THE MORNING OF OCTOBER 3.

MEANWHILE, THIS EMBASSY HAD CONTACTED MINISTER SOUTO MAIOR OF THE MINISTRY OF EXTERNAL RELATIONS ON THE EVENING OF OCTOBER 2. AN EMBASSY OFFICER MET WITH MINISTER SOUTO MAIOR ON THE MORNING OF OCTOBER 3 TO SEEK ASSISTANCE IN GAINING ACCESS BY US CONSULAR AUTHORITIES TO MR. MORRIS. THIS ASSISTANCE WAS GRANTED THROUGH, AS I UNDERSTAND IT, THE PERSONAL INTERVENTION OF YOUR EXCELLENCY, FOR WHICH I AM MOST GRATEFUL. OUR CONSUL WAS FINALLY PERMITTED TO SEE MR. MORRIS FOR THE FIRST TIME ON THE EVENING OF OCTOBER 3 AT WHICH TIME HE WAS GIVEN MR. MORRIS' ACCOUNT OF EVENTS AND MADE HIS PERSONAL OBSERVATIONS OF THE PHYSICAL AND MENTAL STATE OF MR. MORRIS. NEVERTHELESS, TODAY, OCTOBER 4, THE CONSUL'S REQUEST FOR ACCESS TO MR. MORRIS WAS ONCE AGAIN DENIED BY BRIGADIER GENERAL MELO MATTOS.

BECAUSE OF THE PHYSICAL AND MENTAL CONDITION IN WHICH MR. MORRIS WAS FOUND BY THE AMERICAN CONSUL, I EXPECT, EXCELLENCY, IMMEDIATE AND CATEGORIC ASSURANCES FROM THE GOVERNMENT OF BRAZIL THAT MR. MORRIS WILL HENCEFORTH BE GIVEN HUMANE AND CORRECT TREATMENT AND THAT HIS PHYSICAL INTEGRITY AND WELL-BEING WILL BE FULLY RESPECTED. I MUST INSIST, MOREOVER, IN VIEW OF THE DEPLORABLE DEVELOPMENTS IN THIS CASE UP TO NOW AND, IN ACCORDANCE WITH ARTICLE 36 OF THE VIENNA CONVENTION, THAT THE AMERICAN CONSUL BE CONFIDENTIAL

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GRANTED ACCESS TO MR. MORRIS ON A DAILY BASIS. ALSO, IN THE LIGHT OF THESE DEVELOPMENTS, I MUST REQUEST THAT MR. MORRIS BE GIVEN AN IMMEDIATE EXAMINATION BY MEDICAL DOCTORS SELECTED BY THE EMBASSY AND BE PROVIDED APPROPRIATE MEDICAL TREATMENT FOR THE INJURIES HE HAS SUFFERED.

I MUST ALSO ASK THAT IMMEDIATE STEPS BE TAKEN BY THE COMPETENT BRAZILIAN AUTHORITIES TO INSTITUTE AN INVESTIGATION OF THE CIRCUMSTANCES DESCRIBED ABOVE. I ASK THAT APPROPRIATE ACTION BE TAKEN AGAINST THOSE RESPONSIBLE FOR THE INADMISSIBLE ACTIONS AND VIOLATIONS OF LAW DESCRIBED IN THIS NOTE.

ACCEPT, EXCELLENCY, THE ASSURANCE OF MY
HIGHEST CONSIDERATION."

2. NOTE WAS PERSONALLY DELIVERED TO FOREIGN
MINISTER BY AMBASSADOR CRIMMINS AT 1800 HOURS OCTOBER 4.
CRIMMINS

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